

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

BERNARD RAY RICHARDSON,)	
Plaintiff,)	Civil Action No. 7:14cv00562
)	
v.)	<u>MEMORANDUM OPINION</u>
)	
GRIEVANCE COORDINATOR, et al.,)	By: Michael F. Urbanski
Defendants.)	United States District Judge

Plaintiff Bernard Ray Richardson, a Virginia prisoner proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983. Richardson has not submitted a filing fee with his complaint and, therefore, the court liberally construes his action as a request to proceed *in forma pauperis*. However, at least three of Richardson’s previous actions or appeals have been dismissed as frivolous or for failure to state a claim upon which relief may be granted.¹ Therefore, Richardson may not proceed with this action unless he either pays the \$350.00 filing fee or shows that he is “under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

As Richardson has neither prepaid the filing fee nor demonstrated that he is “under imminent danger of serious physical injury,”² the court dismisses his complaint without prejudice pursuant to 28 U.S.C. § 1915(g).

Entered: October 29, 2014

Michael F. Urbanski

Michael F. Urbanski
United States District Judge

¹ See Richardson v. Henceroth, Civil Action No. 1:97cv830 (E.D. Va. July 7, 1997) (dismissed with prejudice for failure to state a claim); Richardson v. Henceroth, et al., Civil Action No. 1:97cv1102 (E.D. Va. July 31, 1998) (dismissed with prejudice for failure to state a claim); Richardson v. Henceroth, Civil Action No. 1:00cv1238 (E.D. Va. Aug. 14, 2000) (dismissed as frivolous); Richardson v. Prison Health Services Staff, Civil Action No. 1:09cv756 (E.D. Va. Mar. 23, 2010) (dismissed with prejudice for failure to state a claim); Richardson v. Ward, Civil Action No. 1:10cv1186 (E.D. Va. Oct. 25, 2010) (dismissed with prejudice for failure to state a claim).

² Richardson names the Doctor and Grievance Coordinator at Red Onion State Prison as defendants to this action. Richardson alleges that he saw the Doctor on July 17, 2014 and that the Doctor did not order the treatment that Richardson wanted for his neck and back. Richardson also alleges that the Grievance Coordinator is “blocking” Richardson’s access to the grievance system. The court finds that Richardson has not demonstrated that he is in imminent danger of serious physical harm.